

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DATE FILED: 12-17-18

ALFRED VITALONE,

Plaintiff.

PROPOSED JUDGMENT

-against-

15 CV 8525 (JGK) (GWG)

THE CITY OF NEW YORK, P.O. JOHN GRANTON,
P.O. FRANK DESIDERATO, P.O. ROBERT AMATY,
P.O. MICHAEL OTTERBECK,
P.O. CHRIS MALDONADO, P.O. MATT GUELI,
SGT. DIHANAN SAMINATH, ET AL..

Defendants.

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WHEREFORE, Defendants served a Rule 68 Offer of Judgment to Plaintiff in the amount of One Hundred and Five Thousand and One Dollar (\$105,001.00) and attorney fees, expenses and costs capped at Eighty-Five Thousand Dollars (\$85,000.00);

WHEREFORE, Plaintiff has accepted the Rule 68 Offer of Judgment;
Wherefore, the City of New York is reinstated as a defendant.
IT IS HEREBY ORDERED that plaintiff takes judgment against the

defendant City of New York in the amount of **One Hundred and Five Thousand and One Dollar (\$105,001.00) and Eighty-Five Thousand Dollars (\$85,000.00)** for costs, expenses and fees to his counsel of record. This judgment is in full satisfaction of all federal and state law claims or rights that plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants or any official, employee, or agent, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action. Acceptance of the offer of judgment releases and discharges defendants; their successors

or assigns; and all past and present officials, employees, representatives, and agents of the City of New York, or any agency thereof, from any and all claims that were or could have been alleged by plaintiff arising out of the facts and circumstances that are the subject of this action. Acceptance of the offer of judgment also waives plaintiff's rights to any claim for interest on the amount of the judgment.

Dated: December 17, 2018
New York, New York 10007

JGK
The Honorable John G. Koeltl

The Clerk is directed to close
this case and any open motions.

so ordered
JGK
a.s.d.j.

12/17/18